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SIPDIS

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GENEVA FOR RMA

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SUBJECT: SCENESETTER FOR THE AUGUST 26 - SEPTEMBER 2 VISIT
OF ASSISTANT SECRETARY SAUERBREY

REF: STATE 129885

Classified By: AMBASSADOR RALPH BOYCE, REASON 1.4 (B,D)

¶1. (C) Ellen, we look forward to your visit to Thailand. Bilateral relations with Thailand have been generally excellent. Thailand is a security treaty ally and has been firmly supportive of the Global War on Terror. American businesses have over \$20 billion in direct investment in Thailand, and are the second largest investor after Japan. Thailand and the U.S. have long enjoyed a close security relationship, which is reflected in the fact that Thailand is a Major Non-Nato Ally (MNNA) of the United States. We have strong relations with Thai law enforcement officials and have had great success in fighting narcotics trafficking. In 2004-5, thanks to years of working with the Thai military, the United States was able to quickly deploy over one thousand American soldiers, marines, sailors and airmen to Utapao Naval Air Base in Thailand and set up a regional tsunami relief operation.

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¶2. (C) We hope your visit to Thailand will contribute to progress on the following objectives:

- Explain and win greater understanding from the Thai on the material support issue and sketch out, as much as possible, a timeline for moving U.S. resettlement processing to other Burma border camps.
- Express support for and encourage greater movement by the Thai on their new policies of improving conditions for Burmese refugees, including screening of individual Burmese asylum seekers, issuance of exit permits for U.S. family reunification cases, camp refugee identity cards, and passes that would allow refugees to find work outside the camps.
- Urge the Thai not to deport the Petchaboon Hmong and seek an explanation of Thai plans to resolve this issue, including a looming problem of inadequate food supplies.
- Press the Thai on allowing us to process pending North Korean refugee cases and reassure them that we will do so discreetly.

Political Situation

¶3. (SBU) In 2001, telecommunications multimillionaire Thaksin Shinawatra and his Thai Rak Thai (TRT) party won a decisive victory on a populist platform of economic growth and development. Thaksin was reelected in February 2005, winning

377 out of 500 seats in the Parliament. Subsequent allegations of corruption led to a move by the opposition to demand a parliamentary no confidence vote. Rather than face parliamentary debate, Thaksin dissolved the Parliament in February 2006 and declared snap elections in April. Peaceful anti-government demonstrations grew as thousands marched in the streets of Bangkok to demand Thaksin's resignation. The opposition boycotted the April elections, leading to a political stalemate. Following Royal intervention, the judiciary annulled the April election and new elections are expected to take place in October. Protesters have not returned to the streets and the Thai military has not intervened. The government remains in caretaker status.

The South and Terrorism

¶4. (C) The most pressing security concern for the Thai remains the unrest in Thailand's deep south provinces bordering Malaysia. Violence continues to occur almost daily with over one thousand persons reported killed over the past two years either by militants or government actions. The ongoing violence has historic roots going back a century and is based on local grievances from poor treatment by the government and a desire to separate the region from the Thai state. There still is no direct evidence of operational links between Thai separatists and outside terrorists. The Thai government has not formulated an effective strategy against the insurgents. Border security issues have strained relations with neighboring Malaysia.

¶5. (C) The Thai government does not seek a U.S. presence in the south and is sensitive to rumors of U.S. involvement in the violence. Nonetheless, we have worked closely to find areas where we can help. We have stepped up our human rights training of Thai troops rotating into the south to improve

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their ability to control crowds and conduct other operations in a way that complies with international norms. We are also working with the Thai to improve their intelligence sharing and gathering capabilities.

Burma and Human Rights

¶6. (C) For most of the Thaksin administration, we have been at odds over our respective approaches to Burma -- essentially agreeing to disagree. The Royal Thai Government (RTG) under Thaksin has claimed that though it agrees the regime must show progress in bringing about national reconciliation, Bangkok must stay engaged with the ruling junta in order to sustain a dialogue on issues that directly affect Thailand, such as illegal immigration from Burma and narcotics smuggling. Thailand has, however, appeared to go well beyond this, being perceived by some as justifying some of the regime's excesses. Lately, at our urging, the Thai have begun to move closer to regional and international opinion, by publicly criticizing Rangoon on its continued detention of Nobel Laureate Aung San Suu Kyi and resistance to genuine national reconciliation. Nonetheless, we were not consulted prior to Thaksin's August 2 sudden and secretive trip to Burma to meet with Than Shwe, during which he claims he pressed for reform in Burma.

¶7. (C) We have also criticized the RTG for some of its human rights practices. A bloody crackdown on alleged drug vendors during a "war on drugs campaign" in 2003 and actions by security forces in the south, have been publicly raised by the United States in our annual human rights reports and in public fora, as well as in our private conversations with Thai officials.

Burma Refugee Resettlement and Material Support

18. (C) The primary issue affecting the Embassy's refugee work over the past year has been material support. It has seriously complicated resettlement of Burmese camp refugees, just as our program for this group was getting off the ground. It has also created hard-to-explain anomalies in our overall policy toward Burmese displaced persons. We have defined the Karen National Union (KNU) and the Karen National Liberation Army (KNLA) as terrorist groups for refugee resettlement purposes at the same time that USAID is starting a cross-border program that will involve small payments to KNLA soldiers. We have refused refugee resettlement to former KNLA combatants even though USG-funded programs provide food, medical care, and housing supplies to such persons.

19. (C) The material support waiver for Karen in Tham Hin camp produced a DHS resettlement approval rate of about 75 percent, higher than expected. At the same time, less than one-half of the camp population applied for resettlement. There seem to be a combination of reasons for this lack of enthusiasm: confusion about material support and concern that cases would be denied for material support reasons; a hope of returning to Burma; and worry about being able to start a new life in the United States. The upshot is that only about 2,700 persons have been approved so far out of a total camp population of about 9,000. This result is disappointing to us, and while they have not said so, certainly also to the Thai. We have some hope that ongoing departures will kindle resettlement interest among those Tham Hin refugees who have so far declined the resettlement option. The first departures from the Tham Hin program started on August 16.

110. (C) We agreed with the Thai over one year ago, before material support, that Tham Hin would be a test case and that we would consider resettlement processing in other camps after joint evaluation of the Tham Hin program results. We need RTG approval before we can move to other camps. It would be very useful to use your visit to explain and win greater understanding from the Thai on the material support issue and sketch out, as much as possible, a timeline for moving U.S. resettlement processing to other Burma border camps.

RTG Policy Changes on Burmese Camp Refugees

111. (C) RTG policies on Burmese camp refugee have shifted significantly and in a positive way over the past year. The Thai seem to recognize now that there is little hope of the

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refugees returning to Burma. They also seem to see that a continuation of the current camp situation where refugees have limited legal opportunities for higher education and employment is not acceptable from a humanitarian perspective nor sensible if the refugees remain in Thailand over the long-term or resettle to other countries. As a result, the Thai have given the green light to the NGO community and donor countries to put forward proposals for income generation and expanded education and vocational training for Burma camp refugees. They have also begun programs, so far limited, to teach Thai to camp refugees.

112. (C) The Thai have put in place, with UNHCR assistance, screening panels for Burmese refugees called Provincial Admissions Boards (PAB). The PABs have approved en masse registration and formal entry into the camps of about 27,000 refugees who had been living in the camps and receiving assistance but had never been officially admitted. The PABs are now supposed to begin screening of individual Burmese asylum-seekers who live outside the camps. Your visit provides a good opportunity to push the Thai on PAB screening of individual cases and issuance of exit permits for Visas 93 and P3 family reunification cases for Burmese refugees.

113. (C) While the shift in overall Thai policy is good,

implementation has been fitful, not always transparent, and subject to the interpretation and initiative of local officials. UNHCR has not, for example, been able to obtain final Thai approval for Burma camp refugee identification cards, which would be an important step forward on protection. We and UNHCR need to keep encouraging the Thai to move forward on the cards. We should ask about the possibility of the Thai permitting camp passes that would allow refugees to leave the camps individually to work in local labor markets. We should also show support for the Thai policy of permitting refugee income generation by boosting PRM funding of American Refugee Committee (ARC) and International Rescue Committee (IRC) programs in this area.

Petchaboon Hmong

¶14. (C) The Petchaboon Hmong situation is complex and we do not see a near-term solution despite extensive discussions with UNHCR and the RTG. There are approximately 6,000 persons at the Petchaboon site, which is essentially a primitive encampment along two sides of a mountain road. MSF provides medical care and sanitation and a U.S. faith-based organization has been distributing rice. There is a concern that serious food shortages could develop over time. The RTG has recently sent soldiers to the site and they have tightened access as part of an effort to discourage others from going to Petchaboon. The Thai also say that they reserve the right to deport the Petchaboon Hmong for illegal entry, and this week they took 31 Hmong who had been detained in a Petchaboon police station to the Lao border. While it does not appear that these 31 persons were handed over to Lao officials, we have received conflicting reports as to whether they are now in Thailand or Laos.

¶15. (C) The origins and motives of the Petchaboon Hmong are not completely clear. They can be divided into three groups. The first are persons who had been living in Thailand for many years and went to Petchaboon in the hope of getting into any future Tham Krabok-like U.S. resettlement program. The second, who may comprise the largest share of the population, appear to have been well-settled in Laos and crossed over into Thailand with a similar motive. Certain Hmong-Americans organizations have stated falsely that the USG will open another resettlement program at Petchaboon and have encouraged members of these two groups to go there to be first in line. The third are persons who fled Laos because of political or religious persecution.

¶16. (C) We have stated that there will not be another Tham Krabok program and that the Thai should refrain from deporting the Hmong and permit UNHCR to interview those with legitimate refugee claims. The RTG is worried about a pull factor, which is a legitimate concern, and has denied, and will likely continue to deny UNHCR access to the population. While the Thai say they reserve the right to deport the Hmong for illegal entry, as a practical matter this is difficult because the Lao government refuses to take the Hmong back. Even if UNHCR were to gain access and refer individual cases to us, our ability to resettle the Hmong would be restricted by material support. Of 46 Hmong refugees recently referred

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to us by UNHCR, 33 are on material support hold. Other countries have limited interest in resettling Hmong and the Thai have ruled out formal local integration. While the international community and the Thai seek a solution to this impasse, we need to continue to urge the Thai not to deport the Hmong. We also need to ensure that there is no problem with malnutrition and food at the Petchaboon site.

North Korean Refugees

¶17. (C) Fifteen North Koreans in Bangkok have indicated

interest in U.S. resettlement. After allowing us to resettle the first group of six North Koreans in April, the RTG has declined permission thus far for further North Korean refugee case processing. The Thai are concerned about a pull factor and the possible involvement of traffickers. While they recognize the requirements of U.S. law, they note that U.S. law is effectively encouraging North Koreans to break Thai law by entering Thailand illegally. Three of the fifteen North Koreans have been waiting for almost three months. We should continue to press the Thai to allow us to process the pending North Korean cases, and reassure them that we will do so discreetly. It is probably unlikely at this point that the Thai will agree to go beyond their current approach of considering U.S. processing on a case-by-case basis.

BOYCE